

BENJAMIN B. WAGNER
United States Attorney
IAN L. GARRIQUES
Assistant U.S. Attorney
4401 Federal Building
2500 Tulare Street
Fresno, California 93721
Telephone: (559) 497-4000

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 01:03-CR-05271 OWW
)	
Plaintiff,)	MOTION AND ORDER TO DISMISS
)	INDICTMENT
v.)	
)	
JOSE ANTONIO ALDACO-LUGO)	
aka Antonio Aldaco-Lugo,)	
)	
Defendant.)	
)	

Pursuant to Federal Rule of Criminal Procedure 48(a),
Plaintiff United States of America, by and through its attorneys
of record, BENJAMIN B. WAGNER, United States Attorney, and IAN L.
GARRIQUES, Assistant United States Attorney, hereby seek leave of
court and move to dismiss the indictment in this case without
prejudice, as to the above-named defendant, in the interest of
justice.

DATED: October 25, 2010

Respectfully submitted,
BENJAMIN B. WAGNER
United States Attorney

By: /s/ Ian L. Garriques
IAN L. GARRIQUES
Assistant U.S. Attorney

ORDER

IT IS HEREBY ORDERED that the indictment in this case be dismissed without prejudice in the interest of justice.

IT IS SO ORDERED.

Dated: October 25, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE